

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	
Patrick Strong	:	Case No. 14-22006 GLT
Debtor	:	Chapter 13
	:	Document No.
Patrick Strong	:	
Movant	:	
	:	Related to Document Nos. 77, 78
vs.	:	
	:	Hearing Date: 10.19.2016 @ 9:00 a.m.
NationStar Mortgage	:	
Respondent	:	Response Date: 10.18.2016 @ Noon

**CERTIFICATE OF SERVICE OF THE COURT SCHEDULING ORDER TOGETHER
WITH THE MOTION TO COMPEL ITEMIZED PAYOFF FOR DEBTOR'S
MORTGAGE LOAN HELD BY NATIONSTAR MORTGAGE**

I certify under penalty of perjury that I served the above captioned pleading on the parties at the addresses specified below or on the attached list on October 13, 2016.

The type of service made on the parties was: Facsimile, Electronic Mail, First Class Mail

Facsimile:

James Prostko, Esquire (counsel for NationStar Mortgage): (412) 745-0601
NationStar Mortgage- Legal Department: (214) 488-1993

Electronic Mail:

Jana Pail, Esquire (Office of the Chapter 13 Trustee): jpail@chapter13trusteedpa.com
James Prostko, Esquire: james.prostko@phelanhallinan.com

First Class Mail, U.S.P.S.:

James A. Prostko
Phelan Hallinan Diamond & Jones, LLP
Omni William Penn Office Tower
555 Grant Street
Suite 300
Pittsburgh, PA 15219

NationStar Mortgage
Attn: Jay Bray, CEO
1010 W. Mockingbird, Suite 100
Dallas, TX 75247

EXECUTED ON: October 13, 2016

By: /s/ Kenneth Steidl
Kenneth Steidl, Esquire
Attorney for the Debtor
STEIDL & STEINBERG
707 Grant Street
Suite 2830-Gulf Tower, Pittsburgh, PA 15219
(412) 391-8000
PA I. D. No. 34965
ken.steidl@steidl-steinberg.com

Form 611

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Patrick L. Strong
Debtor(s)

Patrick L. Strong
Movant(s),

v.

NationStar Mortgage
Respondent(s).

Case No. 14-22006-GLT
Chapter: 13

Related to Doc. No. 77

Hearing Date: 10/19/16 at 09:00 AM
Response Date: 10/18/16 at 12 pm

NOTICE AND ORDER SETTING HEARING ON AN EXPEDITED BASIS

NOTICE IS HEREBY GIVEN THAT an expedited motion entitled Motion to Compel Itemized Payoff for Debtor's Mortgage Loan has been filed in the above-referenced case by the Debtor .

A hearing has been scheduled for October 19, 2016 at 09:00 AM in Courtroom A, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

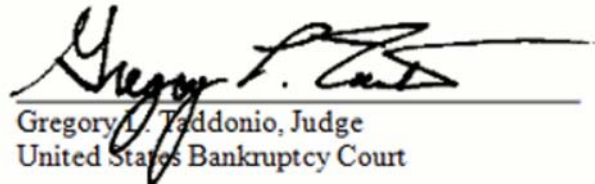
Responses to the *Motion* shall be filed with the Clerk of the Bankruptcy Court and served on parties in interest on or before October 18, 2016 by 12 p.m..

A courtesy copy of all responses shall be delivered to chambers with the filing.

Service shall be made as directed below. A certificate of service shall be filed with the Clerk immediately.

Dated: October 12, 2016

cm: Debtor
Debtor's Counsel



Gregory L. Taddonio, Judge
United States Bankruptcy Court

Movant shall immediately serve a copy of this scheduling Order and the Motion by hand delivery, e-mail, or facsimile on the Respondent(s), any appointed trustee, Debtor(s), Debtor(s)' Attorney, all secured creditors whose interests may be affected by the relief requested, the U.S. Trustee, and the attorney for any committee. In the absence of a committee, the Movant shall serve the 20 largest unsecured creditors. Movant shall deliver a paper copy of the motion and this notice of hearing to chambers.

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	:	Document No.
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Movant	:	
	:	
vs.	:	
	:	
NationStar Mortgage	:	
Respondent	:	

**MOTION TO COMPEL ITEMIZED PAYOFF FOR DEBTOR'S MORTGAGE LOAN HELD BY
NATIONSTAR MORTGAGE TOGETHER WITH A REQUEST FOR AN EXPEDITED HEARING**

AND NOW, comes the Debtor, Patrick Strong, by and through his attorney, Kenneth Steidl, and Steidl and Steinberg, P.C., and respectfully represents as follows:

- 1) This case was commenced on May 16, 2014, when the Debtor filed for voluntary relief under Chapter 13 of the Bankruptcy Code.
- 2) The Debtor's mortgage, held by NationStar Mortgage, matures during the bankruptcy plan term.
- 3) On August 3, 2016, an Order of Court was entered that gave the Debtor permission to borrow funds from his 401(k) to complete his bankruptcy and pay off all debts, including the mortgage loan, early.
- 4) Debtor's counsel is unable to compute an accurate payoff amount for the Debtor's bankruptcy case until it can be determined the exact balance still owed to NationStar Mortgage for the Debtor's mortgage.
- 5) Debtor's counsel has made multiple requests for the itemized payoff for the Debtor's mortgage loan. Requests were made on July 23, 2016, August 1, 2016, September 12, 2016, September 28, 2016, and October 6, 2016.
- 6) To date, no itemized payoff has been received.
- 7) The Debtor respectfully requests that NationStar Mortgage be ordered to immediately provide an itemized payoff for the mortgage loan within the next 10 calendar days.
- 8) The Debtor requests that NationStar Mortgage be forced to pay sanctions of \$100.00 per day for every day past the 10th day that NationStar Mortgage does not produce the itemized payoff statement.

Request for Expedited Hearing

- 9) The allegations set forth in paragraphs 1 through 8 of this Motion are incorporated herein as if set forth in their entirety.
- 10) Pursuant to the provisions of Local Rule 9013-2, the Debtor requests an expedited hearing on this matter for the following reasons:
- a. The Debtor is unable to move forward with ending his bankruptcy case without this itemized payoff from NationStar Mortgage.**
 - b. The Debtor has made multiple attempts to request this payoff figure for almost three months. To date, no payoff has been provided.**
 - c. An expedited hearing is necessary to prevent the Debtor from suffering any additional harm because the case is effectively in limbo until this information is provided.**
 - d. The need for an expedited hearing has not been caused by any lack of due diligence by the Debtor or his counsel but has been brought on by circumstances beyond the Debtor's control.**

WHEREFORE, the Debtor, Patrick Strong, respectfully requests that this Honorable Court compel NationStar Mortgage to immediately produce an itemized payoff statement for the Debtor's mortgage loan within the next 10 days and pay sanctions of \$100.00 per day for every day past 10 days if the itemized payoff statement is not provided.

Respectfully submitted,

October 12, 2016
DATE

/s/ Kenneth Steidl
Kenneth Steidl, Esquire
Attorney for the Debtor
STEIDL & STEINBERG
707 Grant Street
Suite 2830-Gulf Tower, Pittsburgh, PA 15219
(412) 391-8000
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Movant	:	
	:	
vs.	:	
	:	
NationStar Mortgage	:	
Respondent	:	

ORDER OF COURT

AND NOW, to wit, this _____ day of _____, 2016, it is hereby
ORDERED, ADJUDGED, and DECREED that:

- 1) NationStar Mortgage is hereby ORDERED to immediately provide an itemized payoff statement for the Debtor's mortgage loan;
- 2) That statement is to be RECEIVED by Debtor's counsel within the next 10 calendar days;
- 3) The statement should be forward to Kenneth Steidl, Esquire, Suite 2830- Gulf Tower, 707 Grant St., Pittsburgh, PA 15219
- 4) Failure to provide the itemized payoff statement within 10 calendar days will result in the ASSESSMENT OF SANCTIONS against NationStar Mortgage of \$100.00 for every day that there is a delay in producing the statement;

Further Ordered:

_____.J.